

3 and no record thereof shall be preserved except the agreement of
4 settlement signed by the parties. The judge may direct the same to
5 be filed in the office of the clerk and judgment to be entered thereon.

[New.]

1 **SEC. 3. Bar to action—exceptions.** In districts in which rules for
2 conciliation are adopted and the conciliators appointed, no person may
3 maintain an action for the recovery of a disputed claim of one hun-
4 dred (\$100.00) dollars, or less unless he alleges and proves by certifi-
5 cate of the conciliator that he has made a good faith effort to settle
6 the controversy. This section shall not apply to suits aided by attach-
7 ment, or to enforce a lien, or for replevin, or upon written contracts
8 when due, or in cases where the petition states that the defendant
9 is about to change his residence from the county, or where either
10 party to the controversy is a nonresident of the county in which the
11 conciliator is acting.

1 **SEC. 4. Speedy determination certain causes.** Such judges shall
2 adopt rules for the speedy determination of causes involving com-
3 paratively small amounts as stated in such rules, and the clerks shall
4 enter such causes upon a separate short cause calendar. It shall be
5 the duty of the court to set aside a day or days each week when such
6 causes will be heard. Before entering upon the trial of any such cause,
7 the judge or court will, if practicable, bring the parties together and
8 endeavor to secure a settlement thereof by conciliation or arbitration.

[New.]

Approved April 20, A. D. 1923.

CHAPTER 266

CLERK OF DISTRICT COURT

S. F. 225

AN ACT to amend, revise and codify sections six thousand nine hundred seventy-two (6972), six thousand nine hundred eighty (6980), and six thousand nine hundred eighty-two (6982) of the compiled code of Iowa, relating to the clerk of the district court.

Be it enacted by the General Assembly of the State of Iowa:

That section six thousand nine hundred seventy-two (6972) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SECTION 1. Office—duties.** The clerk of the district court shall
2 keep his office at the county seat, attend the sessions of the district
3 court himself or by deputy, keep the records, papers and seal, and
4 record the proceedings of the court as hereinafter directed, under the
5 direction of the judge.

[C. C. 6972.]

1 **SEC. 2. Clerk to notify parties of payment of money.** When money
2 to the amount of five hundred dollars (\$500.00) or more is paid to

3 the clerk to be paid to any person, and not disbursed within thirty
 4 days, he shall notify the person entitled to receive such money, or for
 5 whose account the money is paid or the attorney of record of such
 6 person. The notice shall be by registered mail, and shall be mailed
 7 within forty (40) days from the receipt of the money, to the last
 8 address of the person or attorney known to the clerk, and memo-
 9 randum thereof entered on the proper record. If the clerk fails to
 10 give said notice, he and his bondsmen shall be personally liable for
 11 interest on such money from the date of the receipt thereof by him
 12 to the date the same is paid to the person or attorney.

[New.]

That section six thousand nine hundred eighty (6980) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 3. Change in title certified to auditor.** Where the title of any
 2 real estate is finally established in any person or persons by judgment
 3 or decree of said court or of the supreme court, or where title to real
 4 estate is changed by judgment, decree, will, proceeding or order in
 5 probate, the clerk of the district court shall certify the same, under
 6 the seal of said court, to the county auditor of the county in which
 7 said land is located.

[C. C. 6980.]

That section six thousand nine hundred eighty-two (6982) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 **SEC. 4. Fees.** The clerk of the district court shall charge and
 2 collect the following fees, all of which shall be paid into the county
 3 treasury:
 4 1. For filing any petition, appeal or writ of error and docketing
 5 the same, one dollar and fifty cents (\$1.50).
 6 2. For every attachment, fifty cents (50c).
 7 3. For every cause tried by jury, one dollar and fifty cents (\$1.50).
 8 4. For every cause tried by the court, seventy-five cents (75c).
 9 5. For every equity case, one dollar and fifty cents (\$1.50).
 10 6. For each injunction or other extraordinary process or order,
 11 one dollar (\$1.00).
 12 7. For all causes continued on application of a party by affidavit,
 13 fifty cents (50c).
 14 8. For all other continuances, fifteen cents (15c).
 15 9. For entering any final judgment or decree, seventy-five cents
 16 (75c).
 17 10. For taxing costs, fifty cents (50c).
 18 11. For issuing execution or other process after judgment or de-
 19 cree, fifty cents (50c).
 20 12. For filing and properly entering and indorsing each mechanic's
 21 lien, one dollar (\$1.00), and in case a suit is brought thereon, the same
 22 to be taxed as other costs in the action.
 23 13. For certificate and seal, fifty cents (50c).
 24 14. For filing and docketing transcript of judgment from another
 25 county or a justice of the peace or municipal court, fifty cents (50c).
 26 15. For entering any rule or order, twenty-five cents (25c).
 27 16. For issuing writ or order, not including subpoenas, fifty
 28 cents (50c).
 29 17. For issuing commission to take depositions, fifty cents (50c).

- 30 18. For entering sheriff's sale of real estate, fifty cents (50c).
31 19. For entering judgment by confession, one dollar (\$1.00).
32 20. For entering satisfaction of any judgment, twenty-five cents
33 (25c).
34 21. For all copies of record, or papers filed in his office, transcripts,
35 and making complete record, ten cents (10c) for each one hundred
36 (100) words.
37 22. For taking and approving a bond and sureties thereon, fifty
38 cents (50c).
39 23. For declaration of intention by an alien to become a citizen,
40 twenty-five cents (25c).
41 24. For all services on naturalization of aliens, including oaths
42 and certificates, fifty cents (50c).
43 25. For certificates and seal to applications to procure pensions,
44 bounties or back pay for soldiers or other persons entitled thereto,
45 no charge.
46 26. For making out transcripts in criminal cases appealed to the
47 supreme court, for each one hundred (100) words, ten cents (10c).
48 27. In criminal cases, the same fees for same services as in suits
49 between private parties. When judgment is rendered against the
50 defendant, the fees shall be collected from such defendant.
51 28. For issuing marriage licenses, one dollar fifty cents (\$1.50)
52 each.
53 29. For all services performed in the settlement of the estate of
54 any decedent, minor, insane person, or other persons laboring under
55 any legal disability, except where actions are brought by the adminis-
56 trator, guardian, trustee or person acting in a representative capacity
57 or against him, or as may be otherwise provided herein, where the
58 value of the property of the estate does not exceed three thousand
59 dollars (\$3,000.00), three dollars (\$3.00); where such value is between
60 three thousand dollars (\$3,000.00) and five thousand dollars
61 (\$5,000.00), five dollars (\$5.00); where such value is between five
62 thousand dollars (\$5,000.00) and seven thousand dollars (\$7,000.00),
63 eight dollars (\$8.00); where such value is between seven thousand
64 dollars (\$7,000.00) and ten thousand dollars (\$10,000.00), ten dollars
65 (\$10.00); where such value is between ten thousand dollars
66 (\$10,000.00) and twenty-five thousand dollars (\$25,000.00), fifteen
67 dollars (\$15.00); for each additional twenty-five thousand dollars
68 (\$25,000.00) or major fraction thereof, there shall be taxed the
69 further sum of ten dollars (\$10.00).
70 30. In addition to all other fees, for making a complete record in
71 cases where the same is required by law or directed by an order of
72 the court, for every one hundred (100) words, ten cents (10c).

[C. C. 6982, modified.]

Approved March 29, A. D. 1923.